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The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY

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GOVERNMENT OF PUDUCHERRY

HOME DEPARTMENT

(G.O. Ms. No. 51, dated 3rd October 2012)

NOTIFICATION

The Lieutenant-Governor, Puducherry is pleased to approve the following notification published by the Home Department, and Rajya Sainik Board, Puducherry which contains the organisation, composition, responsibilities, scope and functioning of “Sainik Welfare Board” is hereby amalgamated

PART-I

2. (a) *Short title and commencement.*— These bye-laws may be called “The Puducherry Sainik Welfare Board Bye-laws”. These bye-laws are to be implemented by the Department of Sainik Welfare, Puducherry.

2. (b) They shall come into force with immediate effect.

3. *Composition of Puducherry Sainik Welfare Board.*— The Puducherry Sainik Welfare Board is an apex body of the Department of Sainik Welfare, which formulates policies for resettlement, rehabilitation and welfare of Ex-servicemen and their families. The board shall have the following composition:-

Chairman . . . His Excellency the Lieutenant-Governor of Puducherry.

Vice-Chairman . . . Chief Minister/Minister in-charge of Department of Sainik Welfare.

Ex-officio members . . . All Hon'ble Ministers of Union territory of Puducherry.

Chief Secretary to Government, Puducherry

All Secretaries to Government of Puducherry
Union Territory.

GOC-in-C Southern Command HQ ATNK
and K Area, Chennai.

Director-General of Police, Puducherry

Collector, Puducherry

Collector, Karaikal

Regional Administrator, Mahe

Regional Administrator, Yanam

Additional/Joint/Deputy/Under Secretary (Home)

NCC Group Commander

Non-official members . . . Four Ex-servicemen having interest in the welfare of the Ex-servicemen nominated by the Government of Puducherry from Puducherry/Karaikal/Mahe/Yanam regions.

Co-opted members . . The Board has been empowered to co-opt any other Government Officer whose membership may, in the opinion of the board, be of use to the board.

Member-Secretary . . Director, Sainik Welfare will be the Member-Secretary of the Board.

4 (1). The Board shall have powers to co-opt any other persons as members but such co-opted members will have no right to vote.

4 (2). The board should hold minimum of one meeting in a year.

4 (3). The terms of office of the non-official members is 2 years which may be renewed from time to time.

5. *Power to relax.*— Any rules/regulations said in the bye-law may be relaxed by the patron as per the recommendation by the First Vice-Chairman *i.e.* Chief Secretary to Government of Puducherry.

6. *Staff.*— The staff of the Department of Sainik Welfare consists of Assistants, Welfare Organiser, Lower Division Clerks, Driver, Peon, and Part-time Sanitary Assistant which strength is subject to variation depending on the exigency. The expenditure on account of staff and other incidental items is borne by the Government of Puducherry and reimbursement of 50% share of the above expenditure will be borne by the Kendriya Sainik Board, New Delhi on yearly basis, against the authorised heads of expenditure by the Kendriya Sainik Board.

7. *Conduct of business.*— The Sainik Welfare Board may meet for the conduct of business, adjourn and otherwise regulate its meetings and proceedings as may be determined by the bye-laws. The quorum for a meeting of the Sainik Welfare Board shall be 50% of members personally present at the meeting. A meeting of the Sainik Welfare Board at which a quorum is present shall be competent to exercise all or any of the functions of the fund.

7 (1). The meeting shall be presided over by the Chairman or in his absence by the First Vice-Chairman of the Management Committee. Every matter shall be determined by a majority of votes of the members present and voting. The Member-Secretary (Director, Sainik Welfare), and the co-opted members who are not members, shall have no right to

vote. In case of equality of votes, the matter shall be decided according to the casting vote of the Chairman of the committee or meeting as the case may be.

7. (2) The meeting of the committee shall be held at least once in a year or as and when necessary as prescribed by the Board and thirty days notice of every meeting shall be sent to each member, in advance.

8. *Members of the Sainik Welfare Board not entitled to remuneration.*— The members of the Sainik Welfare Board shall not be entitled to any remuneration.

PART-II

9. *Definition.*— In these bye-laws, unless the context otherwise requires,—

9 (1). 'Board' means the Sainik Welfare Board, Puducherry, as per the composition given above.

9 (2). 'Department' means the Department of Sainik Welfare, Puducherry, the executive body for the Office of the Sainik Welfare Board and the Management Committee of Armed Forces Flag Day Funds.

9 (3). 'Member-Secretary' means the Director, Department of Sainik Welfare who is the Member-Secretary, Sainik Welfare Board and the Executive Officer of bye-laws of Sainik Welfare Board.

9 (4). 'Union Territory' means the Union territory of Puducherry.

9 (5). 'Director' means the Director, Department of Sainik Welfare who is the Member-Secretary of Sainik Welfare Board and Executive Officer of these bye-laws of the Sainik Welfare Board.

9 (6). 'Scheme' means the schemes under which various grants and financial assistance and other privileges are extended to the Ex-Servicemen/widows and their dependants by the Government of Puducherry.

9 (7). 'Financial Assistance' means the financial assistance granted to the Ex-servicemen and their dependants by the Government of Puducherry.

9 (8). 'Family' means the Ex-serviceman, his wife, non-earning and unmarried sons below 25 years of age, non-earning and unmarried or widowed/divorced daughters and non-earning parents of the Ex-serviceman actually dependent on the Ex-serviceman.

9 (9). 'Dependent' means the wife, non-earning and unmarried sons below the age of 25 years and non-earning and unmarried or widowed/divorced daughters, and non-earning parents of the Ex-serviceman actually dependent on him.

9 (10). 'Ex-Serviceman' means the retired/released Defence personnel whose status of Ex-servicemen is governed by the definition as laid down by Department of Personnel and Training, Government of India, New Delhi. The definition has been undergoing changes from time to time. The following is the broad categorisation:—

(a) **Those released before 1st July 1968.**— Any person who had served in any rank (whether as combatant or not) in the Armed Forces of the Union and has been released from there other than by way of dismissal or discharge on account of misconduct or inefficiency.

(b) **Those released on or after 1st July 1968 but before 1st July 1979.**— Any person who had served in any rank (whether as a combatant or not) in the Armed Forces of the Union for a continuous period of not less than six months after attestation and released from there other than by way of dismissal or discharge on account of misconduct or inefficiency.

(c) **Those released on or after 1st July 1979 but before 1st July 1987.**— Any person who has served in any rank (whether as a combatant or as non-combatant) in the Armed Forces of the Union, including the armed forces of the former Indian States but excluding the Assam Rifles, Defence Security Corps, General Reserve Engineer Forces, Lok Sahayak Sena and Territorial Army, for a continuous period of not less than six months after attestation; and

(i) has been released, otherwise than at his own request or by way of dismissal or discharge on account of misconduct or inefficiency, or has been transferred to the reserve pending such a release; or

(ii) has to serve for not more than six months for completing the period of service requisite for becoming entitled to be released or transferred to the reserve as aforesaid; or

(iii) has been released at his own request, after completing five years service in the Armed Forces of the Union.

(d) **Those released on or after 1st July 1987.**— Any person, who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy and Air Force of the Indian Union; and—

(i) who retired from such service after earning his/her pension; or

(ii) who has been released from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension;

(iii) who has been released, otherwise than on his own request, from such service as a result of reduction in establishment; or

(iv) who has been released from such service after completing the specific period of engagements, otherwise than at his own request or by way of dismissal or discharge on account of misconduct or inefficiency, and has been given a gratuity, and includes personnel of the Territorial Army of the following categories, namely:—

(aa) Pension holders with continuous embodied service;

(ab) Persons with disability attributable to military service ; and

(ac) Gallantry award winners.

(e) The Territorial Army personnel will however be treated as Ex-servicemen with effect from 15-11-1986.

(f) Recruits/Officer Cadet who are boarded out/released on medical grounds and granted medical/disability pension will also be covered under the category of Ex-servicemen for all practical purposes.

(g) The eligibility of the person to the status of Ex-servicemen will be governed by the definition in vogue at the time of his discharge and will not be affected by the changes in the definition subsequent to his discharge.

(h) Armed Forces of the Union mean the Army, Navy and Air Force of the Indian Union including Armed Forces of the former Indian States but exclude the persons who have served in Defence Security Corps, General Reserve Engineering Force, Lok Sahayak Sena and Para Military Forces (PMF).

10. '*Registration*' means registration of an Ex-serviceman with the Department of Sainik Welfare, Puducherry provided he fulfills any one of the above conditions and subject to his producing the following documents :-

(i) Discharge Certificate (Address mentioned in the Discharge Certificate must of Puducherry Union Territory);

(ii) Pension Payment Order, payable at anywhere in the Union territory of Puducherry;

(iii) Three stamp size, two passport size and one passport size photograph with spouse;

(iv) 5 years continuous Residence Certificate in respect of those who are not permanent resident (native) of Union territory of Puducherry in addition to defence record certification in Discharge Certificate.

10 (a). *Posthumous registration*.— If an Ex-serviceman dies in harness or after his discharge, posthumous registration will be done on receipt of an application from a member of his family subject to the condition that the Ex-serviceman was the permanent resident (native) of the Union Territory or the applicant is a permanent resident of the Union Territory and has been continuously residing in the Union Territory for not less than five years on the date of such application as per certificate issued by an officer not below the rank of Deputy Tahsildar of Revenue Department.

10 (b). *Registration of Ex-servicemen from other States*.—

(i) Residential Certificate for not less than five years obtained from Revenue authorities not below the rank of Deputy Tahsildar.

(ii) Cancellation/No objection certificate from his previous Board.

(iii) A copy of Ration Card/Voter's Identity Card obtained from Government of Puducherry.

(iv) Pension Payment Order payable at any bank anywhere in the Union territory of Puducherry.

10 (c). *Registration of widow of other States*.— (i) Death Certificate of her husband;

(ii) Discharge Certificate of her husband or service particulars of widow issued by the respective defence records ;

(iii) Three stamp size latest photographs;

(iv) Family Pension Payment Order payable at any bank anywhere in the Union territory of Puducherry.

(v) Documentary evidence that her family had stayed in Puducherry for not less than five years continuously before his death (certificate to this effect to be obtained from Revenue authorities).

10 (d). *Registration of employment card.*— Ex-Servicemen who have already registered will be issued with an employment card for his reemployment purpose, if he desires. Registration card will be supplied to him from the Employment Cell maintained exclusively for Ex-servicemen by the Department of Sainik Welfare. The Employment Cell will also recommend for registration in the National Employment Exchange, Puducherry. Ex-Serviceman has to renew his employment card once in three years with a grace period of three months. Otherwise his name will be deleted from the live register. The following documents are required for employment registration:-

(a) Original educational/technical qualification certificates and certificates issued by the defence records.

(b) Two set of photocopies of certificates duly attested by a Gazetted Officer.

(c) One copy of passport size photograph.

10 (e). *Not eligible for registration.*— The following personnel are not eligible for registration:-

(a) Not having any proof for permanent residence (native) of Union territory of Puducherry issued by the Revenue Department.

(b) Not having continuous period of five years residency certificate duly issued by the Revenue Department of Puducherry Union Territory.

(c) Not having documentary evidence that deceased Ex-serviceman had stayed in Puducherry for not less than five years continuously before his death issued by the Revenue Department.

PART - III**GENERAL WELFARE SCHEMES FOR EX-SERVICEMEN**

11. *Horizontal reservation of vacancies in Group 'C' and 'D' posts for Ex-Servicemen.*— 20% in Group 'D' posts and 10% in Group 'C' posts shall be reserved for Ex-servicemen for their reemployment in the Union territory of Puducherry.

12. *Priority through the Employment Exchange.*— Wives of Serving Defence Personnel of this Union Territory shall be given Priority II (One year relaxation in seniority) in filling up of vacancies through Employment Exchange.

13. *State Legal-aid/police protection.*— Police Authorities shall provide protection to the families of defence serving personnel who are natives of this Union Territory/Ex-servicemen from anti-social elements.

13 (1). State Legal-aid Cell shall offer free legal assistance to Defence Serving Personnel who are natives of this Union Territory/ Ex-servicemen and their families.

14. *Horizontal reservation in higher education.*— Reservation of 1% of seats for admission in Government recognised medical colleges through CENTAC, Puducherry shall be allowed to the wards of Defence Serving Personnel who are natives of this Union Territory and Ex-servicemen/widows who have registered their names in the Department of Sainik Welfare.

14 (1). Reservation of 3% of seats for admission in all other Government recognised higher educational institutions including admissions made through CENTAC, Puducherry shall be allowed to the wards of Defence Serving Personnel who are natives of this Union Territory and Ex-servicemen/widows who have registered their names in the Department of Sainik Welfare.

14 (2). Such personnel having continuous period of five years study of the ward of Ex-Servicemen in any school/college of Puducherry Union Territory for availing facility of ex-servicemen quota for higher education from Puducherry Union Territory.

15. *Exemption from payment of examination fees.*— The Ex-servicemen shall be exempted from payment of application/examination fees for recruitment to Group 'C' posts, provided that they were discharged and awarded with Defence pension.

16. *Exemption from payment of stamp duty.*— Ex-servicemen shall be exempted from stamp duty for executing of attorney by ex-members of Defence Services or their heirs or dependents in favour of their agents or representatives for the purpose of representing them at the hearing of their appeals under the Pension Appeal Tribunal Rule, 1946.

17. *Exemption from appearing for physical efficiency test for recruitment in uniformed services.*—Ex-servicemen who were discharged and awarded with Defence pension shall be exempted from appearing for physical efficiency test for recruitment to uniformed service viz., Police, Fire Service and Jail Department of this Union Territory.

18. *Reinstatement of Pannayal after release.*— Any Pannayal who was enrolled as a member of the Armed Forces may on discharge or retirement from service or on being sent to reserve shall be entitled to be reinstated as a Pannayal with all the rights enjoyed by him in respect of the lands before his enrolment as a member of the Armed Forces.

19. *Priority in medical treatment at Government hospitals.*— Priority in treatment and admission for Ex-servicemen/widows shall be given by the Government Medical Institutions and JIPMER Hospital, if recommended by the Department of Sainik Welfare.

20. *Age concession.*— The Ex-servicemen shall enjoy age concession of 3 years more in addition to the period of service rendered by them in defence services for reemployment in Central and State Government and other Public Sector Undertakings.

21. *Assignment of agricultural land or free house site.*— Pondicherry Land Grants Rules, 1975 provide assignment of agricultural lands to Ex-servicemen/widows according to the following priority as a measure of rehabilitation subject to availability of land for disposal.

- (a) Families of servicemen killed in action;
- (b) Ex-servicemen who have been disabled in action;
- (c) Other Ex-servicemen;
- (d) Widow of Ex-servicemen.

22. *Reservation of 3% in allotment of house site/plot /flat through Puducherry Housing Board/Societies.*— 3% reservation shall be admissible for allotment of house site/plot/flat on sale to Ex-servicemen/ widows through the Puducherry Housing Board/Housing Societies.

23. *Cash grant to gallantry and distinguished service award winners.*— Cash incentive, cash *in lieu of* land and annuity to Armed Forces personnel honoured with gallantry and distinguished service awards as per Gazette of Puducherry No. 87, dated 26-10-1999.

24. *Grant-in-aid for welfare of Ex-Servicemen.*— Grant-in-aid shall be released from the State Budget every year for payment of Subsistence Allowance and implementation of other welfare schemes in Ex-Servicemen and their dependents, as approved by the Government of Puducherry from time to time.

25. *Sainik rest-house (Jawan Bhavan).*—Whenever any Defence Serving Personnel or any Ex-Servicemen/widows from other States/Union Territories visit Puducherry for any purpose individually or with their family member, they may stay in the Sainik rest-house (Jawan Bhavan), Puducherry as the laid down concessional rates to the Government of Puducherry Union Territory.

26. *Exemption from payment of house tax.*— Ex-servicemen/widows shall be exempted from the payment of house-tax for their single dwelling buildings as per G. O. Ms. No. 9/LAS/2005, dated 17-6-2005 and G. O. Ms. No.70/LAS/2007, dated 31-10-2007 issued by the Local Administration Department, Puducherry. This exemption shall be admissible to all such buildings registered in the name of the Ex-servicemen or their dependents without any restriction on coverage of built-up area.

27. *Assistance sanctioned to be reported to the Managing Committee.*— All financial assistance sanctioned under these bye-laws shall be reported by the Member-Secretary (Director, Sainik Welfare) to the Managing Committee in its meeting held next, after the sanctioning of the assistance.

(By order of the Lieutenant-Governor)

PANKAJ KUMAR JHA,
Additional Secretary to Government.
